

Section 13-234-3, Hawaii Administrative Rules, is amended to read as follows:

“13-234-3 Mooring rates. (a) The [following] mooring rate schedule noted in paragraph 1 shall become effective on the first day of the [calendar] first full month [following] occurring after the effective date of the amendments [of] to this chapter and shall be increased as shown in paragraphs 2 and 3 but only upon the approval by the State Legislature of new bonding issues for harbor facilities, and the increased schedule will be affective at the beginning of the fiscal year in which the new bonds are to be funded. The mooring rate schedule in this subsection is per foot of vessel length overall per month effective upon the applicant’s acceptance of the offer of an available berth. Mooring rates shall apply to the harbor facilities in the following categories: Category “A”, Ala Wai; Category “B”, Keehi Lagoon, Honokohau, Maalaea, & Lahaina; Category “C”, Haleiwa, Heeia Kea, Waianae, Nawiliwili, Port Allen, Kailua-Kona, Keauhou, & Manele; Category “D”, Wailoa, Kikiaola, Kaunakakai, North Kawaihea, & Kukuiula; Category “E”, South Kawaihae, Hana, & Halo O Lono.

<u>[TYPE OF MOORING</u>	<u>HARBORS</u>		
	<u>KEEHI</u>		
	<u>LAHAINA</u>		
	<u>MAALAEA &</u>		
	<u>ALA WAI</u>	<u>HONOKOHAU</u>	<u>ALL OTHERS</u>
(1) Alongside catwalk:	\$3.40	\$2.95	\$2.50
(2) Bow/stern mooring:			
On state buoy,			
anchor or cable:	\$2.70	\$2.30	\$2.00
Minimum fee:	\$35.00	\$35.00	\$25.00
On owner's buoy			
or anchor:	\$1.75	\$1.50	\$1.30
Minimum fee:	\$28.00	\$28.00	\$20.00
(3) In harbor basin:			
On state cable,			
buoy, or anchor:			\$1.20
Minimum Fee:			\$20.00
On owner's buoy			
or anchor:			\$.80
Minimum Fee:			\$13.00
(4) Skiff moorings			
(Fore and aft, all			
types):	\$1.15	\$1.10	\$1.00
Minimum Fee:	\$17.50	\$16.00	\$12.50
(5) Work docks (Per			
foot of vessel			
length per day):	\$.35	\$.30	\$0.25
Minimum Fee:	\$9.00	\$7.00	\$5.00

The following mooring rate schedule shall be implemented on the first day of the calendar month twelve months following the effective date of the rates listed above.

<u>TYPE OF MOORING</u>	<u>HARBORS</u>		
		<u>KEEHI</u>	
		<u>LAHAINA</u>	
	<u>ALA WAI</u>	<u>MAALAEA &</u>	
		<u>HONOKOHAU</u>	<u>ALL OTHERS</u>
(1) Alongside catwalk:	\$4.10	\$3.50	\$2.80
(2) Bow/stern mooring:			
On state buoy,			
anchor or cable:	\$3.40	\$2.85	\$2.50
Minimum fee:	\$43.50	\$43.50	\$31.00
On owner's buoy			
or anchor:	\$2.20	\$1.85	\$1.60
Minimum fee:	\$34.75	\$34.75	\$24.80
(3) In harbor basin:			
On state cable,			
buoy, or anchor:			\$1.50
Minimum Fee:			\$24.80
On owner's buoy			
or anchor:			\$1.00
Minimum Fee:			\$16.10
(4) Skiff moorings			
(Fore and aft, all			
types):	\$1.45	\$1.35	\$1.25
Minimum Fee:	\$21.70	\$19.85	\$15.50
(5) Work docks (Per			
foot of vessel			
length per day):	\$.45	\$.40	\$.30
Minimum Fee:	\$11.15	\$8.70	\$6.00]

TYPE OF MOORING AND STATE BOATING FACILITIES

(1) <u>Mooring rates that become effective on the first day of the first full month occurring after the effective date of the amendments:</u>					
Category	A	B	C	D	E
<u>Along catwalk:</u>	<u>\$5.25</u>	<u>\$4.00</u>	<u>\$3.75</u>	<u>\$3.50</u>	<u>\$1.50</u>
<u>Bow-stern mooring:</u>					
<u>On state buoy,</u>	<u>\$4.25</u>	<u>\$3.50</u>	<u>\$3.25</u>	<u>\$3.00</u>	<u>\$1.50</u>
<u>anchor or cable:</u>					
<u>(Minimum fee):</u>	<u>\$52.00</u>	<u>\$43.00</u>	<u>\$37.50</u>	<u>\$32.50</u>	<u>\$20.00</u>
<u>On owner's buoy or anchor:</u>	<u>\$2.75</u>	<u>\$2.30</u>	<u>\$2.00</u>	<u>\$1.75</u>	<u>\$1.50</u>
<u>(Minimum fee):</u>	<u>\$36.00</u>	<u>\$33.50</u>	<u>\$31.00</u>	<u>\$29.00</u>	<u>\$20.00</u>
<u>In harbor basin:</u>					
<u>On state cable,</u>	<u>\$4.00</u>	<u>\$3.40</u>	<u>\$3.00</u>	<u>\$2.80</u>	<u>\$1.50</u>
<u>buoy or anchor:</u>					
<u>(Minimum fee):</u>	<u>\$48.00</u>	<u>\$40.00</u>	<u>\$36.00</u>	<u>\$33.00</u>	<u>\$20.00</u>
<u>On owner's buoy or anchor:</u>	<u>\$2.70</u>	<u>\$2.10</u>	<u>\$1.95</u>	<u>\$1.85</u>	<u>\$1.50</u>
<u>(Minimum fee):</u>	<u>\$33.00</u>	<u>\$25.00</u>	<u>\$23.50</u>	<u>\$22.00</u>	<u>\$20.00</u>
<u>Skiff and dinghy moorings</u>					
<u>fore and aft, all types:</u>	<u>\$1.80</u>	<u>\$1.70</u>	<u>\$1.55</u>	<u>\$1.45</u>	<u>\$0.50</u>
<u>(Minimum fee):</u>	<u>\$24.00</u>	<u>\$21.50</u>	<u>\$19.75</u>	<u>\$17.40</u>	<u>\$5.00</u>
<u>Work docks (per foot/vessel</u>					
<u>length/day):</u>	<u>\$0.55</u>	<u>\$0.50</u>	<u>\$0.40</u>	<u>\$0.35</u>	<u>\$0.30</u>
<u>(Minimum fee):</u>	<u>\$7.00</u>	<u>\$6.00</u>	<u>\$5.00</u>	<u>\$4.00</u>	<u>\$3.00</u>

(2) <u>Conditional mooring rates that become effective on the first day of the financial year wherein a \$10mm CIP reimbursable bonding issue funds:</u>					
Category	A	B	C	D	E
<u>Along catwalk:</u>	<u>\$5.67</u>	<u>\$4.32</u>	<u>\$4.05</u>	<u>\$3.78</u>	<u>\$1.62</u>
<u>Bow-stern mooring:</u>					
<u>On state buoy,</u>	<u>\$4.67</u>	<u>\$3.82</u>	<u>\$3.55</u>	<u>\$3.28</u>	<u>\$1.62</u>
<u>anchor or cable:</u>					
<u>(Minimum fee):</u>	<u>\$56.00</u>	<u>\$47.00</u>	<u>\$41.00</u>	<u>\$39.00</u>	<u>\$21.00</u>
<u>On owner's buoy or anchor:</u>	<u>\$2.97</u>	<u>\$2.48</u>	<u>\$2.16</u>	<u>\$2.00</u>	<u>\$1.62</u>
<u>(Minimum fee):</u>	<u>\$39.00</u>	<u>\$36.20</u>	<u>\$33.50</u>	<u>\$31.30</u>	<u>\$21.00</u>
<u>In harbor basin:</u>					
<u>On state cable,</u>	<u>\$4.32</u>	<u>\$3.68</u>	<u>\$3.24</u>	<u>\$3.00</u>	<u>\$1.62</u>
<u>buoy or anchor:</u>					
<u>(Minimum fee):</u>	<u>\$52.00</u>	<u>\$43.00</u>	<u>\$38.00</u>	<u>\$35.00</u>	<u>\$21.00</u>
<u>On owner's buoy or anchor:</u>	<u>\$2.92</u>	<u>\$2.27</u>	<u>\$2.10</u>	<u>\$2.05</u>	<u>\$1.62</u>
<u>(Minimum fee):</u>	<u>\$35.60</u>	<u>\$27.00</u>	<u>\$25.40</u>	<u>\$23.70</u>	<u>\$21.00</u>
<u>Skiff and dinghy moorings</u>					
<u>fore and aft, all types:</u>	<u>\$1.95</u>	<u>\$1.84</u>	<u>\$1.68</u>	<u>\$1.57</u>	<u>\$0.55</u>
<u>(Minimum fee):</u>	<u>\$26.00</u>	<u>\$23.20</u>	<u>\$21.35</u>	<u>\$18.80</u>	<u>\$5.25</u>
<u>Work docks (per foot/vessel</u>					
<u>length/day):</u>	<u>\$0.60</u>	<u>\$0.55</u>	<u>\$0.43</u>	<u>\$0.38</u>	<u>\$0.32</u>
<u>(Minimum fee):</u>	<u>\$7.50</u>	<u>\$6.50</u>	<u>\$5.40</u>	<u>\$4.30</u>	<u>\$3.25</u>

(3) <u>Conditional mooring rates that become effective on the first day of the financial year wherein subsequent \$10mm CIP reimbursable bonding issue funds:</u>					
Category	A	B	C	D	E
<u>Along catwalk:</u>	<u>\$6.12</u>	<u>\$4.67</u>	<u>\$4.37</u>	<u>\$4.08</u>	<u>\$1.75</u>
<u>Bow-stern mooring:</u>					
<u>On state buoy,</u> <u>anchor or cable:</u>	<u>\$5.12</u>	<u>\$4.17</u>	<u>\$3.87</u>	<u>\$3.58</u>	<u>\$1.75</u>
<u>(Minimum fee):</u>	<u>\$60.00</u>	<u>\$50.00</u>	<u>\$45.00</u>	<u>\$42.00</u>	<u>\$22.00</u>
<u>On owner's buoy or anchor:</u>	<u>\$3.20</u>	<u>\$2.68</u>	<u>\$2.33</u>	<u>\$2.16</u>	<u>\$1.75</u>
<u>(Minimum fee):</u>	<u>\$42.00</u>	<u>\$39.00</u>	<u>\$36.00</u>	<u>\$33.00</u>	<u>\$22.00</u>
<u>In harbor basin:</u>					
<u>On state cable,</u> <u>buoy or anchor:</u>	<u>\$4.67</u>	<u>\$4.00</u>	<u>\$3.50</u>	<u>\$3.25</u>	<u>\$1.75</u>
<u>(Minimum fee):</u>	<u>\$56.00</u>	<u>\$46.00</u>	<u>\$42.00</u>	<u>\$38.00</u>	<u>\$22.00</u>
<u>On owner's buoy or anchor:</u>	<u>\$3.15</u>	<u>\$2.45</u>	<u>\$2.27</u>	<u>\$2.21</u>	<u>\$1.75</u>
<u>(Minimum fee):</u>	<u>\$38.50</u>	<u>\$29.00</u>	<u>\$27.00</u>	<u>\$25.00</u>	<u>\$22.00</u>
<u>Skiff and dinghy moorings</u> <u>fore and aft, all types:</u>	<u>\$2.10</u>	<u>\$2.00</u>	<u>\$1.81</u>	<u>\$1.70</u>	<u>\$0.60</u>
<u>(Minimum fee):</u>	<u>\$28.00</u>	<u>\$25.00</u>	<u>\$23.00</u>	<u>\$20.00</u>	<u>\$5.50</u>
<u>Work docks (per foot/vessel</u> <u>length/day):</u>	<u>\$0.65</u>	<u>\$0.60</u>	<u>\$0.46</u>	<u>\$0.41</u>	<u>\$0.35</u>
<u>(Minimum fee):</u>	<u>\$8.00</u>	<u>\$7.00</u>	<u>\$6.00</u>	<u>\$5.00</u>	<u>\$3.50</u>

[(b)] (a) The mooring rate schedule in **[subsection]** subsections (a) and (b) shall apply to single-hulled vessels, except as otherwise **[prescribed]** provided in this section, or in sections 13-234-5, 13-234-7 and 13-234-25.

[(c)] (b) A multi-hulled vessel shall be charged mooring fees in proportion to berths used in increments of one, one and one-half, or two times the fee prescribed in **[subsection]** subsections (a) and (b) for a single-hulled vessel of equal length.

[(d)] (c) When more than one vessel occupies a single berth end to end, the charge shall be computed at the rate prescribed in **[subsection]** subsections (a) and (b).

[(e)] (d) Except for **[subsection (a)(5)]** fees for work docks, which [sets] set out the minimum charges per day, the amounts set out in the mooring rate schedules in **[subsection]** subsections (a) and (b) are the minimum charges per month.

[(f) If the assigned berth/mooring under subsection (a)(1) and (a)(2) is not provided with electricity, the fee prescribed shall be decreased by \$.05 per foot per month.]” [Eff 2/24/94; am and comp] (Auth: HRS 200-6, 200-10, 200-22, 200-24) (Imp: HRS 200-6, 200-10, 200-12, 200-22, 200-24)

“13-234-4 Mooring rates for offshore mooring and anchoring.

(a) The [following] mooring rate schedule noted in paragraph (1) shall become effective on the first day of the [calendar] first full month [following] occurring after the effective date of the amendments [of] to this [section] chapter and shall be increased twice thereafter, as noted in paragraphs (2) and (3) on the first day of the fiscal year(s) in which a CIP bond issue is to be funded for the small boat. The mooring rate schedule is per foot of vessel length overall per month:

(1) On state buoy, anchor or cable:

vessel length	rate:
0 - 30’	\$1.50
31 - 40’	\$1.15
41 - 50’	\$1.25
51 - 60’	\$1.35
61 - 70’	\$1.45
71 - 80’	\$1.55
81 - 90’	\$1.65
over 90’	\$1.75
Minimum monthly fee	\$25.00

(2) On owner’s own buoy or at anchor:

vessel length	rate:
0 - 30’	\$0.70
31 - 40’	\$0.80
41 - 50’	\$0.90
51 - 60’	\$1.00
61 - 70’	\$1.10
71 - 80’	\$1.20
81 - 90’	\$1.30
over 90’	\$1.40
Minimum monthly fee	\$16.50]

(1) Offshore mooring and anchoring rates that become effective on the first day of the first full month occurring after the effective date of the amendments to this chapter:

<u>Vessel Length Overall</u>	<u>On State Buoy, Anchor or Cable</u>	<u>On Owner's Own Buoy, or at Anchor</u>
<u>0'-30'</u>	<u>\$1.31</u>	<u>\$0.88</u>
<u>31'-40'</u>	<u>\$1.44</u>	<u>\$1.00</u>
<u>41'-50'</u>	<u>\$1.56</u>	<u>\$1.13</u>
<u>51'-60'</u>	<u>\$1.69</u>	<u>\$1.25</u>
<u>61'-70'</u>	<u>\$1.81</u>	<u>\$1.38</u>
<u>71'-80'</u>	<u>\$1.94</u>	<u>\$1.50</u>
<u>81'-90'</u>	<u>\$2.06</u>	<u>\$1.63</u>
<u>Over 90'</u>	<u>\$2.19</u>	<u>\$1.75</u>
<u>Minimum Monthly Fee</u>	<u>\$31.25</u>	<u>\$20.63</u>

(2) Offshore mooring and anchoring rates will become effective on the first day of the first fiscal year after the rates in paragraph (1) become effective and in which a CIP bond issue is to be funded for the small boat:

<u>Vessel Length Overall</u>	<u>On State Buoy, Anchor or Cable</u>	<u>On Owner's Own Buoy, or at Anchor</u>
<u>0'-30'</u>	<u>\$1.41</u>	<u>\$0.95</u>
<u>31'-40'</u>	<u>\$1.56</u>	<u>\$1.08</u>
<u>41'-50'</u>	<u>\$1.68</u>	<u>\$1.22</u>
<u>51'-60'</u>	<u>\$1.83</u>	<u>\$1.35</u>
<u>61'-70'</u>	<u>\$1.95</u>	<u>\$1.49</u>
<u>71'-80'</u>	<u>\$2.10</u>	<u>\$1.62</u>
<u>81'-90'</u>	<u>\$2.22</u>	<u>\$1.76</u>
<u>Over 90'</u>	<u>\$2.37</u>	<u>\$1.89</u>
<u>Minimum Monthly Fee</u>	<u>\$33.75</u>	<u>\$22.28</u>

(3) Offshore mooring and anchoring rates will become effective on the first day of the second fiscal year after the rates in paragraph (1) become effective and in which a CIP bond issue is to be funded for the small boat:

<u>Vessel Length Overall</u>	<u>On State Buoy, Anchor or Cable</u>	<u>On Owner's Own Buoy, or at Anchor</u>
<u>0'-30'</u>	<u>\$1.52</u>	<u>\$1.03</u>
<u>31'-40'</u>	<u>\$1.68</u>	<u>\$1.17</u>
<u>41'-50'</u>	<u>\$1.82</u>	<u>\$1.32</u>
<u>51'-60'</u>	<u>\$1.97</u>	<u>\$1.46</u>
<u>61'-70'</u>	<u>\$2.11</u>	<u>\$1.61</u>
<u>71'-80'</u>	<u>\$2.26</u>	<u>\$1.75</u>
<u>81'-90'</u>	<u>\$2.40</u>	<u>\$1.90</u>
<u>Over 90'</u>	<u>\$2.56</u>	<u>\$2.04</u>
<u>Minimum Monthly Fee</u>	<u>\$36.45</u>	<u>\$24.06</u>

(b) The fee for barges, platforms, and [other] commercial vessels [over fifty feet in length] having no operating means of propulsion shall be two times the rate listed in subsection (a).

(c) The fee for vessels anchored or moored without a permit issued by the department shall be at the rate [specified] as provided in section 13-234-5.

(d) Persons issued a mooring permit under this section shall be entitled to the use of any designated dinghy mooring area at no charge.

[Eff 2/24/94; am and comp] (Auth: HRS 200-2, 200-3, 200-4, 200-6, 200-22, 200-24) (Imp: HRS 200-2, 200-3, 200-4, 200-6, 200-22, 200-24)

		At Berth	At Anchor or Moored
(1)	Less than 20 feet	\$3.25	\$2.25
(2)	20 feet or more but less than 30 feet	\$4.60	\$3.00
(3)	30 feet or more but less than 40 feet	\$5.75	\$3.75
(4)	40 feet or more but less than 50 feet	\$6.90	\$4.50
(5)	50 feet but less than 60 feet	\$7.95	\$5.75
(6)	60 feet but less than 70 feet	\$9.20	\$7.50
(7)	70 feet but less than 80 feet	\$10.35	\$8.50
(8)	80 feet but less than 90 feet	\$11.50	\$9.25
(9)	90 feet but less than 100 feet	\$12.65	\$11.50
(10)	100 feet or more	\$13.80	\$13.00]

(e) The mooring fees for a vessel moored in a [small boat harbor] state boating facility without permission of the department or in violation of section 13-231-17 shall be:

<u>Length of stay</u>	<u>Fee</u>
(1) 30 days or less	[-to] 1-1/2 times the fees stated in subsection (d) [above];
(2) 31-60 days	[-] 2 times the fees stated in subsection (d) [above] for the [days] period over 30 days;
(3) More than 60 days	[-]3 times the fees stated in subsection (d) for the period over 60 days.

(f) The fees for a vessel moored in a state boating facility work dock area in violation of this section or section 13-231-17 shall be:

<u>Length of stay</u>	<u>Fee</u>
(1) 30 days or less	<u>1-1/2 times the fees stated in subsection (d);</u>
(2) 31-60 days	<u>2 times the fees stated in subsection (d) for the period over 30 days;</u>
(3) More than 60 days	<u>3 times the fees stated in subsection (d) for the period over 60 days.</u>

~~[(f)]~~ ~~(g)~~ In addition to any civil remedy or criminal action available to the department, vessels moored without permission shall be liable for the payment of fees chargeable to ~~[such]~~ the moorage. The acceptance of the payment shall not waive the nature of trespass or ratify or permit the unlawful or illegal mooring.” [Eff 2/24/94; am and comp] (Auth: HRS 200-6, 200-10, 200-12, 200-22, 200-24) (Imp: HRS 200-6, 200-10, 200-12, 200-22, 200-24)

“13-234-25 Fees ~~[and charges]~~ for commercial vessels ~~[at state small boat harbors]~~ using state boating facilities, Kaneohe Bay ocean waters, and beaches of the State. ~~(a)~~ ~~[The]~~ Notwithstanding the provisions of section 13-234-3 ~~[notwithstanding]~~, the following fees and charges shall be assessed for services provided by the department relating to mooring in[,] or ~~[use of,]~~ using state ~~[small boat harbor]~~ boating facilities, Kaneohe Bay ocean waters and beaches of the State: ~~[and services by a commercial vessel:]~~

- ~~(1)~~ ~~[For vessels]~~ The fee per month per vessel for a permittee with a commercial activity and regular mooring permit~~[. The fee per month, per vessel, for mooring of and use of the]~~ who moors in and uses a small boat harbor or any of the facilities ~~[by a commercial vessel]~~ in these harbors shall be the greater of two times the mooring fees ~~[prescribed]~~ as provided in section 13-234-3 or ~~[two]~~ three per cent of the monthly gross receipts, and shall become effective on of the first day of the first full month occurring after the effective date of these amendments. In addition to the ~~[aforementioned fee for]~~ mooring ~~[a commercial vessel in these small boat harbors]~~ fees as provided in this section and section 13-234-3, the permittee shall also pay fees and charges in the amounts prescribed in these rules for any other facilities and services utilized ~~[in]~~ at the small boat harbor.
- ~~(2)~~ The fee per month for a permittee with a commercial activity and boat ramp, wharf, or other state boating facility permit, except a state small boat harbor permit, shall be the greater of \$200 per month or three per cent of the monthly gross receipts, effective on the first day of the first full month occurring after the effective date of these amendments. The single fee assessed for the use of a state boat ramp shall entitle the permittee to use any other state boat ramp on the same island without an additional charge, except for those boat ramps listed in section 13-231-67. The department shall provide, upon issuance of a state boat ramp permit, a set of trailer decals that shall be displayed on each side of the forward end of the trailer tongue.
- ~~[(2)]~~ ~~(3)~~ For ~~[vessels]~~ permittees with a commercial activity permit only, the fee per month, ~~[per vessel]~~ for the use of ~~[these small boat harbors or any of their facilities]~~ a state boating facility, Kaneohe Bay ocean waters or beaches of the State as defined by section 13-230-8, ~~[by a commercial vessel moored elsewhere]~~ shall be the greater of ~~[\$100]~~ \$200 or ~~[two]~~ three per cent of the monthly gross receipts effective on the first day of the first full month occurring after the effective date of these amendments.

- [(3)] (4) The report of gross receipts shall be received by the department not later than the end of the month following the reported month and shall be submitted on a form acceptable to the department. [Failure] Unless otherwise provided by statutes, failure to submit the report of gross receipts as required for a period in excess of sixty days shall be cause for [termination] automatic revocation of the commercial activity permit.
- [(4)] (5) For [vessels which] permittees who have been issued a valid commercial activity permit for the use of more than one small boat harbor, the permittee shall designate the small boat harbor of principal use, and the [two per cent] percentage of monthly gross receipts described in this section shall be paid to that account. The fees for commercial activity permits issued for other small boat harbors shall be the minimum amount specified in paragraph (2) or paragraph (1) for those permittees with small boat harbor mooring permits.
- [(5)] (6) For [vessels] permittees issued a temporary mooring permit and a commercial activity permit, the fee per month shall be the greater of the temporary mooring fees required by section 13-234-5 or three per cent of the monthly gross receipts effective on the first day of the first full month occurring after the effective date of these amendments
- (b) When the commercial activity permit is issued, the department shall also provide a set of commercial trailer decals for commercial trailered vessels, at no charge, which shall be displayed on each side of the forward end of the trailer tongue.
- (c) Vessels used by a commercial activity permittee for shuttle operations transporting passengers to and from the commercial activity permittee's primary operating vessel and vessels under contracts to perform shuttle operations for passenger cruises, which moor at a state boating facility, shall be required to have a designated state boating facility of principal use and the fee charged under this section shall be paid to the principal use account.
- [(6)] (d) [Audit.] The department [reserves the right to] may conduct [an] a financial audit [as necessary] of the records of any commercial activity permit account to determine the accuracy of reported gross receipts [fees owing to the department, and] or inspect any other financial information, to and including Gross Excise Tax records, [necessary and proper] directly related to the [enforce] enforcement of these rules after providing notice, as described in section 13-230-6, not less than thirty days prior to the audit.
- [(b)] (e) The department may, by lease, permit, or mooring permit, in accordance with state statutes grant the use or possession of [small boat harbor] state boating facilities. The leases [or] and permits shall provide for payments of rentals, fees and charges, and other conditions in accordance with law, in lieu of and notwithstanding the provisions for fees [and charges] specified in these rules.” [Eff 2/24/94; am and comp] (Auth: HRS 200-2, 200-3, 200-4, 200-10, 200-22, 200-24, 200-39) (Imp: HRS 200-2, 200-3, 200-4, 200-10, 200-22, 200-24, 200-39)

“13-234-34 User ~~[Fee]~~ fee for recreational ~~[use of]~~ state boat ~~[launching]~~ ramps.

(a) An annual boat ramp decal user fee of ~~[\$25]~~ \$40 shall be paid by owners of trailered vessels using state ~~[launching ramps and other]~~ boating facilities for recreational and fishing purposes to gain access to the waters of the State for the purpose of defraying costs of maintenance of the state boating facilities and use of fresh water. The \$40 boat ramp decal fee shall become effective on the first day of the first full month occurring after the effective date of the amendments and shall increase to \$45 effective on the first day of the calendar month twelve months following the effective date of the effective date of the \$40 fee, and shall again increase to \$50 effective on the first day of the calendar month twelve months following the effective date of the \$45 fee.

~~[(b) Owners of trailered commercial passenger vessels who pay the commercial fee for use of state launching ramps and other boating facilities under the provisions of section 13-234-31 are exempt from the requirements of subsection (a).]~~

~~[(c) (b) [This] In addition to the vessel registration fee, the annual boat ramp decal fee described in subsection (a) shall be paid in full at the time of [initial] registration or registration renewal[, in addition to the vessel registration fee].~~

~~[(d) (c) The recreational owner shall be furnished a set of trailer decals by the department upon payment of this fee, [which] Current boat ramp decals shall be affixed to each side of the forward end of the trailer tongue [as evidence of payment] whenever the vessel trailer is operated or stored at a state boating facility.~~

~~(d) Notwithstanding subsection (c), a boat dealer or manufacturer shall be allowed to place the ramp decal on the dashboard of the vehicle used to transport the demonstration vessel.” [Eff 2/24/94 am and comp] (Auth: HRS 200-2, 200-3, 200-4, 200-22, 200-24) (Imp: HRS 200-2, 200-3, 200-4, 200-22, 200-24)~~